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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA

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10 LEROY B. KANAGY,

Plaintiff,

v.

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14 STATE OF PENNSYLVANIA POLICE, et  
al.,

15 Defendants.

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17 Case No.[17-cv-05194-JSC](#)

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20 **ORDER OF TRANSFER**

21 Plaintiff, a California prisoner incarcerated at Napa State Hospital in Napa County,  
22 California, filed this pro se civil rights action under 42 U.S.C. § 1983. Defendants are located in  
23 the Middle District of Pennsylvania, where the actions giving rise to Plaintiff's claims also took  
24 place.

25 When, as here, jurisdiction is not founded on diversity, venue is proper in the district in  
26 which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in  
27 which a substantial part of the events or omissions giving rise to the claim occurred, or a  
28 substantial part of property that is the subject of the action is situated, or (3) a judicial district in  
which any defendant may be found, if there is no district in which the action may otherwise be  
brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the  
discretion either to dismiss the case or transfer it to the proper federal court "in the interest of  
justice." 28 U.S.C. § 1406(a).

1 In the interest of justice and pursuant to 28 U.S.C. § 1406(a), this case is TRANSFERRED  
2 to the United States District Court for the Middle District of Pennsylvania, where the Defendants  
3 are located and the events giving rise to Plaintiff's claims occurred.

4 The Clerk of the Court shall transfer this matter forthwith.

## IT IS SO ORDERED.

6 | Dated: September 27, 2017

Jacqueline Scott Corley  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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LEROY B. KANAGY,

Plaintiff,

v.

STATE OF PENNSYLVANIA POLICE, et  
al.,

Defendants.

Case No. [17-cv-05194-JSC](#)

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 27, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

LeRoy B. Kanagy ID: Q7-8  
Napa State Hospital  
2100 Napa Vallejo HWY.  
Napa, CA 94558-6293

Dated: September 27, 2017

Susan Y. Soong  
Clerk, United States District Court

By:   
Ada Means, Deputy Clerk to the  
Honorable JACQUELINE SCOTT CORLEY